JAP7 Rec'd PCT/PTO 10 MAY 2006' PTO-1390 (Rev. 07-2005

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER HW-8145

J.S. APPLICATION NO. (#kpgws_see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO. PCT/SE2004/001626

1,1

10. X

INTERNATIONAL FILING DATE 10 November 2004 (10.11.2004)

TITLE OF INVENTION DEVICE FOR PROVIDING SPONGY BONE WITH BONE SUBSTITUTE AND/OR BONE REINFORCING

PRIORITY DATE CLAIMED

11 November 2003 (11.11.2003)

MATERIAL, BONE SUBSTITUTE AND/OR BONE REINFORCING MATERIAL AND METHOD

APPLICANT(S) FOR DO/EO/US LIDGREN, Lars, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. X This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.

2. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.

3. X This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. X The US has been elected (Article 31).

5. X A copy of the International Application as filed (35 U.S.C. 371(c)(2))

a. X is attached hereto (required only if not communicated by the International Bureau).

b. has been communicated by the International Bureau.

c. is not required, as the application was filed in the United States Receiving Office (RO/US).

6. X An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

| | a. \overline{X} is attached hereto. | | |
|--------------|---|--|--|
| | b. has been previously submitted under 35 U.S.C. 154(d)(4). | | |
| \mathbf{X} | \overline{X} Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) | | |
| | a. are attached hereto (required only if not communicated by the International Bureau). | | |
| | b. have been communicated by the International Bureau. | | |
| ţ | c. have not been made; however, the time limit for making such amendments has NOT expired. | | |
| ţ | d. $oxed{X}$ have not been made and will not be made. | | |
| 3. 🗀 | An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3) | | |
| e. X | An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). | | |
| | | | |

Items 11 to 20 below concern document(s) or information included:

| 11. X | An Information Disclosure Statement under 37 CFR 1.97 and 1.98. |
|-------|--|
| 12. 🛚 | An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included |
| 13. X | A preliminary amendment. |
| 14. | An Application Data Sheet under 37 CFR 1.76. |

An English language translation of the annexes of the International Preliminary Examination Report under PCT

15. A substitute specification.

Article 36 (35 U.S.C. 371(c)(5)).

16. A power of attorney and/or change of address letter.

17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.

18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).

19. 🔲 A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) | INTERNATIONAL AP PCT/SE2004 | | ATTORNEY'S DOCKET NUMBER HW-8145 | | | | |
|--|--|-------------|-----------------------------------|--------------|--|--|--|
| 20. Other items or information: A copy of the International Search Report and Written Opinion (8 pgs.); a copy of a Second Written Opinion and Response thereto (8 pgs.); a copy of an Int'l Preliminary Report on Patentability (5 pgs.); FOUR (4) sheets of FORMAL Drawings (Figs. 1-5); and ONE (1) Return-Receipt Postcard | | | | | | | |
| The following fees have been submitted | | | CALCULATIONS | PTO USE ONLY | | | |
| 21. X Basic national fee (37 CFR 1.492(a)) | | | \$ 300.00 | | | | |
| 22. X Examination fee (37 CFR 1.492(c)) | 22. X Examination fee (37 CFR 1.492(c)) | | | | | | |
| If the written opinion prepared by ISA/US or the inte by IPEA/US indicates all claims satisfy prov All other situations | \$ 200.00 | | | | | | |
| 23. X Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the Internatio IPEA/US indicates all claims satisfy provisic Search fee (37 CFR 1.445(a)(2)) has been paid on International Searching Authority International Search Report prepared by an ISA oth previously communicated to the US by the IAII other situations | \$ 400.00 | | | | | | |
| TOTAL OF 21, 22 and 23 = | | | 900.00 | • | | | |
| Additional fee for specification and drawings file sequence listing in compliance with 37 CFF electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 shee | | | | | | | |
| | otal Sheets Extra Sheets Number of each additional 50 or fraction thereof (round up to a whole number) | | | | | | |
| 32 - 100 = -68 /50 = | | x \$250 | \$ 0.00 | | | | |
| Surcharge of \$130.00 for furnishing any of the sear after the date of commencement of the national sta | \$ 0.00 | | | | | | |
| CLAIMS NUMBER FILED | NUMBER EXTRA | RATE | \$ | · | | | |
| Total claims 58 - 20 = | 38 | × \$ 50 | \$ 1,900.00 | | | | |
| Independent claims 6 - 3 = | 3 | × \$200 | \$ 600.00 | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | + \$360 | \$ 0.00 | | | | | |
| Annihant daine and lantin date 27.00 | CALCULATIONS = | \$ 3,400.00 | | | | | |
| Applicant claims small entity status. See 37 CF | 0.00 | | | | | | |
| Processing fee of \$130.00 for furnishing the English | \$ 3,400.00 | | | | | | |
| claimed priority date (37 CFR 1.492(i)). | \$ | 0.00 | | | | | |
| | \$ | 3,400.00 | | | | | |
| Fee for recording the enclosed assignment (37 CFF by an appropriate cover sheet (37 CFR 3.28, 3.31). | \$ | 40.00 | | | | | |
| | \$ | 3,440.00 | | | | | |
| | Amount to be refunded: | \$ | | | | | |
| | | | Amount to be charged | \$ | | | |

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| a. 🗓 | A check in the amount of \$ 3,440.00 to cover the above fe | | | | | |
|--|---|--|--|--|--|--|
| <u>.</u> b. LI | Please charge my Deposit Account No in the amount of \$ A duplicate copy of this sheet is enclosed. | to cover the above fees. | | | | |
| •c. X | The Commissioner is hereby authorized to charge any additional fees which maccount No. 20-0090. A duplicate copy of this sheet is enclosed. | nay be required, or credit any overpayment to Deposit | | | | |
| d. 🗆 | Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | | |
| James Taroll 1300 Cleve | eland, OH 44114 | SIGNATURE SIGNATURE | | | | |